



Entered on Docket  
October 05, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☒ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Partial Objection of USACM Trust To Arlene Cronk Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim; and Objection of DTDF to Proposed Allowance of Claim**

Hearing Date: September 28, 2007  
Hearing Time: 1:30 p.m.

1 The Court having considered the Partial Objection of USACM Trust To Arlene Cronk  
2 Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim; and  
3 Objection of DTDF to Proposed Allowance of Claim (the "Objection") [Docket No. 4643];  
4 appearances having been noted on the record; adequate notice of the Objection having been given;  
5 there having been no response filed to the Objection; and for good cause appearing:  
6

7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10726-  
8 00010 (the "Claim") is partially disallowed against the estate and in the case of USACM to the  
9 extent of any portion of the Claim that is based upon equity interests in either FTDF or DTDF or  
10 that relates to USA Capital Realty Advisors, LLC; and the Claim is further disallowed against the  
11 estates and in the cases of FTDF and DTDF in its entirety.  
12

13 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
14 Arlene Cronk, Edward Davies, or the Arline L. Cronk And Edward H. Davies TTEE's Of The  
15 Arline L. Cronk And Edward H. Davies Living Trust 6/27/03 (collectively, the "Claimants") in  
16 these jointly-administered bankruptcy proceedings.


17 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
18 of any of the Claimants' equity interests in FTDF as reflected in FTDF's books and records,  
19 which interests are as follows:  
20

- 21 1. Arline L. Cronk And Edward H. Davies TTEE's Of The Arline L.  
22 Cronk And Edward H. Davies Living Trust 6/27/03 – \$30,000.00;
- 23 2. Retirement Accounts Inc TTEE FBO Arline L. Cronk – \$61,105.00;
- 24 3. Retirement Accounts Inc. TTEE FBO Edward Davies – \$50,920.50.
- 25
- 26

1 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
2 of the Arline L. Cronk and Edward H. Davies Living Trust 6/27/03's equity interest in DTDF as  
3 reflected in DTDF's books and records, which equity interest is in the amount of \$24,023.66.

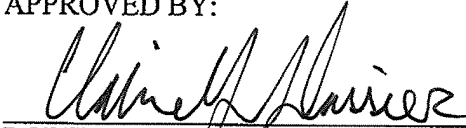
4 IT IS FURTHER ORDERED that nothing in this Order shall prejudice the rights of  
5 USACM to file further objections to the portion of the Claim that is not based upon any equity  
6 interests held by Claimants in either FTDF or DTDF.  
7

8 SUBMITTED BY:

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